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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

STEELMAN, MARY J

ART UNIT

PAPER NUMBER

2191

DATE MAILED: 08/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/072,776	Applicant(s) MANZOLATI, RICHARD J.	
	Examiner Mary J. Steelman	Art Unit 2191	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 and 25-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 and 25-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to Amendment and Remarks received 30 May 2006.
Per Applicant's request, claims 1, 3-8, 10-15, 21, and 25-27 are amended. Claims 28-30 are new.
Claims 22-24 are canceled. Claims 1-21 and 25-30 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent
Application Publication 2004/0207862 A1 to Such et al.

Per claims 1 and 8:

-receiving, from an information component of at least one part of an apparatus, information about the at least one part of the apparatus, transmitted from the information component, said information component comprising memory and a processor;

Such: FIG. 4 & related text at [0064], #400, printer device (information component of at least one part of an apparatus), #405, memory, #401, processor, #407, Raster Image Processor.

Information is transmitted to a Calibration module, #409. [0071], "When the color calibration required setting is identified by the calibration component 409, which may reside either within

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the printer device, or within the intermediate computer 401, the calibration component checks if it already has stored a set of calibration values...” [0077], “calibration component reads current settings of data stored at the printer device (receiving information about the at least one part of the apparatus, transmitted from the information component)...”

-determining instructions for optimizing at least one operation of the at least one part of the apparatus based on the received information;

Such: [0077], “if...the calibration settings in the job description file are not the same as those settings currently in operation on the printer device...calibration procedure is initiated, which results in computation of a new set of calibration values...”

-transmitting the instructions to the information component for execution by the processor to optimize the at least one operation of the apparatus.

Such: [0064], “calibration component 409 for applying calibration of ink tones and colors...”

Per claim 15:

An apparatus comprising:

-one or more parts;

Such: See Figs. 3 & 4, [0050-0051].

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-an information component for at least one of the part, the information component comprising memory, a processor and a transceiver, said memory having stored therein data about the at least one part;

Such: [0064] & FIG. 4 “printer device 400 (information component) and print manager computer 401, printer mechanism 402...communications port 403 for communicating (transceiver)...data processor 404...memory device 405...data storage device 406...raster image processor....” 407...calibration component 409...

-an optimization processing system that receives the data, which was transmitted from the transceiver of the information component, and determines instructions for optimizing at least one operation of the at least one part of the apparatus based on the received data and transmits the instructions to the transceiver of the information component for execution by the processor to optimize the performance of the apparatus.

Such: FIG. 4. Printer device 400 transmits calibration values to calibration module 409, which optionally is located at print manager computer 401 [0065] & [0071]. Calibration module acts as an optimization processing system, receives data and determines instruction for optimizing at least one operation. [0071], “a new set of calibration values which will be used to render and print the job.”

Per claims 2, 9, and 16:

-identifying the at least one operation of the apparatus being optimized.

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Such: [0078-0079], a color calibration procedure, #700 (operation of the apparatus being optimized).

Per claim 3, 10, and 17:

-interrogating the at least one part for the information.

Such: [0077] The calibration component searches a job ticket for a set of 'settings'/ conditions that the calibration in the printer must meet. In process 601, the calibration component reads current settings of data stored at the printer device (interrogating the part for the information)..."

Per claims 4, 11, and 18:

-determining if any other parts need to be interrogated;

Such: See FIG. 3, networked printers and computers & [0050], [0064], "at least one printer device 400" [0062], "checking conditions of the printer and of the environment in which the printer is placed." [0097], checking media type loaded, amount of ink, environmental conditions.

-interrogating the other parts which are needed for the received information.

Such: [0079], "calibration component checks that the calibration settings contained in the job description file match the same media type...In step 703 it is checked whether an amount of ink used...exceeds a pre-determined value. In step 704, environmental conditions in the immediate vicinity of the printer are checked and are compared..."

Per claims 5, 12, and 19:

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-received information for the at least one of the part comprises at least one functional parameter of the at least one part.

Such: [0097] & FIG. 13- media type value, amount of ink value, environmental conditions values are functional parameters.

Per claims 6, 13, and 20:

-received information for the at least one of the part comprises at least one algorithm of the at least one part.

Such: [0097] The calibration mode calculates if an amount of ink larger than a pre-set limit has been used (an algorithm).

Per claims 7, 14, and 21:

-comparing the received information about the at least one part against stored information about the at least one part to obtain a difference;

Such: [0097], a comparison is done between the current media type and that of the defined calibration media type. If there is a difference a calibration procedure is activated.

-using the difference to determine the instructions for optimizing the at least one operation of the apparatus.

Such: [0097] A difference in the media type, ink exceeding a pre-set limit of environmental conditions exceeding limits are used to optimize the operation of the apparatus, i.e., the calibration procedure is activated to optimize the printer device.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 25-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application Publication 2004/0207862A1 to Such et al., in view of USPN 5,398,257 to Groenteman.

Per claims 25, 26, and 27:

-receiving the information about the at least one part involves receiving wireless communication.

Such: FIGs. 1 & 3. Such disclosed a networked system at [0063]. Such disclosed a networked printer system, whereby remote printers are optimized. Such failed to disclose 'wireless' communication. However, Groenteman disclosed (Abstract) a copying machine, a processor that gathers and generates status information and transmits using a wireless transceiver. Corrective actions are taken in controlling operation of the copying circuitry. See FIG. 2. Col. 2, lines 55-63, "Copier monitoring network 20 includes a plurality of copying machines 10, each having a wireless transceiver for communicating status information to a base processor..."

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time of the invention, to modify the "printer device connected to the Internet" (Such: [0063]), to include a 'wireless' connection, as disclosed by Groenteman, because (Groenteman: col. 1, lines 20-22) it

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overcomes the “high cost of telephone line installation, monthly telephone line service costs, and lack of copying machine portability.”

Per claims 28-30:

-the information component is included with one of a copier and a printer.

Such disclosed a networked printer system, whereby remote printers are optimized. Such failed to disclose “a copier”. However, Groenteman disclosed (Abstract) a copying machine, a processor that gathers and generates status information and transmits using a wireless transceiver. Corrective actions are taken in controlling operation of the copying circuitry. See FIG. 2. Col. 2, lines 55-63, “Copier monitoring network 20 includes a plurality of copying machines 10, each having a wireless transceiver for communicating status information to a base processor...”

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time of the invention, to modify the “printer device” (Such, [0063]), to include a copy feature, as disclosed by Groenteman, because it is old and well known that a copy feature is commonly combined with printers, and the combination is obvious to make the printing device more useful.

Response to Arguments

6. Applicant's arguments with respect to claims 1-21 & 25-7 have been considered but are moot in view of the new grounds of rejection.

Conclusion

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7. Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Steelman, whose telephone number is (571) 272-3704. The examiner can normally be reached Monday through Thursday, from 7:00 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Zhen can be reached at (571) 272-3708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mary Steelman

A handwritten signature in cursive script, appearing to read 'Mary Steelman', written in black ink.

08/01/2006